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Via Electronic and US Mail

August 22, 2018

Mr. James A. Zellmer  
Deputy Division Administrator  
Wisconsin Department of Natural Resources  
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P.O. Box 7921  
Madison, WI 53701-7921

Ms. Linda Holst  
Region 5 Acting Water Division Director  
Environmental Protection Agency  
77 West Jackson Boulevard  
Chicago, IL 60604-3507

RE: Armenia Growers Coalition -- Update

Dear Mr. Zellmer and Ms. Holst:

This follows our correspondence of August 10, 2018, and provides an update as of Monday, August 20, 2018, concerning the Coalition's outreach efforts. The Coalition has notified 48 residences via both initial and follow-up letters.<sup>1</sup> Of the 48 parties notified, the Coalition has received contact from 26 homeowners. The Coalition has not received any follow-up contact from its letters from 22 of the 48 residences.

Of those 26 responding homeowners, 20 have requested a water treatment system and bottled water was delivered to every home requesting it, in all but one or two cases where the request came late in the day, the same day. Six homeowners declined the Coalition's offer. As we have noted before, a two-week per person, per residence supply of bottled water is provided to each residence and replenishment supplies began to be delivered at the end of last week, and will continue until a water treatment system is installed and verified to meet drinking water standards.

As for the memorandum of understanding (MOU) draft, we provided the Counties and DNR with updated drafts on August 14 that incorporated changes made as a result of our in-person meeting on August 9. It is our understanding the Counties are reviewing the MOU and will provide us their consolidated comments in the coming days. We also understand that concerns

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<sup>1</sup> One residence recently identified to the Coalition has, as of this writing, only received the first letter. The second follow-up letter will be sent to this residence this Friday, August 24, 2018, if the Coalition does not receive a response from the homeowner concerning the initial letter.



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have been raised via the Wisconsin Department of Safety and Professional Services (DSPS) regarding the in-home water treatments systems under consideration by the Coalition. We believe that this is potentially a simple misunderstanding. We understand that the units under consideration have been sold in this state for nearly four years as the Aquasana Branded OptimH2O Reverse Osmosis Systems AQ-RO-3.55, AQ-RO-3.56 and AQ-RO-3.62. We further understand that these systems carry the following third party NSF/ANSI certifications:

NSF/ANSI Standard 58 for Reverse Osmosis Drinking Water Systems  
<http://info.nsf.org/Certified/DWTU/Listings.asp?Company=C0205241&Standard=058>

NSF/ANSI Standard 42 for Drinking Water Treatment Units – Aesthetic Effects  
<http://info.nsf.org/Certified/DWTU/Listings.asp?Company=C0205241&Standard=042>

NSF/ANSI Standard 53 for Drinking Water Treatment Units – Health Effects  
<http://info.nsf.org/Certified/DWTU/Listings.asp?Company=C0205241&Standard=053>

NSF/ANSI Standard 401 for Drinking Water Treatment Units - Emerging  
Compounds/Incidental Contaminants  
<http://info.nsf.org/Certified/DWTU/Listings.asp?Company=C0205241&Standard=401>

NSF Protocol P473 Drinking Water Treatment Units - PFOA & PFOS (Over and Above ANSI  
Standards)  
<http://info.nsf.org/Certified/DWTU/Listings.asp?Company=C0205241&Standard=P473>

Further information will be provided by A. O. Smith concerning this issue in the coming days.

Very truly yours,

**MICHAEL BEST & FRIEDRICH LLP**



David A. Crass

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